



The Massachusetts Traffic Stop Data Collection Form

Executive Office of Public Safety

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Massachusetts State Police

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Purpose

This presentation is intended to assist police departments who will collect traffic stop data on all stops as required under Chapter 288 of the Acts of 2000 by providing instruction to department trainers and officers on the proper use of the the new Massachusetts Traffic Stop Data Collection Form



Background

- Chapter 228 of the Acts of 2000
- Effective April 1 2001
- Defines Racial and Gender Profiling
 - The practice of detaining a suspect based upon a broad set of criteria which casts suspicion on an entire class of people without any individualized suspicion of the particular person stopped



Background

- Police Departments must develop policies to identify and eliminate racial and gender profiling
- Racial and Gender profiling training programs
- Motor Vehicle Citation modified to include box for vehicle search
- Police officers required to record the race of the driver stopped
- Data collected from April 1, 2001 to March 31, 2002 to be analyzed by Northeastern University (Study included data through June 2003)



Background

- EOPS Model Policy
- “Except in ‘suspect specific incidents’, members are prohibited from considering the race, gender, national or ethnic origin of members of the public in deciding to detain a person or stop a motor vehicle and in deciding upon the scope or substance of any law enforcement action.”



Background

- Model Policy defines “suspect specific incident” as “an incident in which an officer is lawfully attempting to detain, apprehend, or otherwise be on the lookout for one or more specifics suspects who have been identified or described in part by national or ethnic origin, gender or race.”



Background

- On May 4, 2004, Northeastern University released the final report as part of its Racial and Gender Profiling Project that was mandated under Chapter 228 of the Acts of 2000
- The report consists of data tables based on 1.6 million citations (not warnings) issued between April 2001 through June 2003 by 366 jurisdictions



Background

- N.U. also analyzed a sampling of 200,000 warnings out of a total of 1.3 million issued for the same period of time
- Out 366 departments covered by the study 249 were found to have substantial disparities in at least one of the four categories measured
 - 247 departments selected by the Secretary of Public Safety and Attorney General for data collection on all stops for a one year period



Background

- In May 2004 EOPS formed a Data Collection Task Group consisting of EOPS, state police, police chiefs, RMV, Merit Rating Board, and Northeastern University to determine the method for data collection on all stops
- The mandated one year data collection period on all stops will begin on July 1, 2005



Background

- The Task Group devised the Traffic Stop Data Collection Form to be filled out on all motor vehicle stops
- This form is the EOPS recommended method for data collection
- 17 Departments took part in a data collection pilot during May 2005 using the new form
 - Average time to complete form about one minute
 - Minimal confusion on proper use



Background

- Each department collecting data is responsible for storing the data and analyzing the data
 - There will be no centralized state collection and analysis of the data



Instructions for Use of the Traffic Stop Data Collection Form

MASSACHUSETTS TRAFFIC STOP DATA COLLECTION FORM										0020701												
AGENCY CODE			LOCATION CODE			OFFICER ID			AGENCY FIELD/ CASE NUMBER			DATE			TIME							
<input type="text"/>			<input type="text"/>			<input type="text"/>			<input type="text"/>			<input type="text"/>			<input type="text"/>							
RACE OF DRIVER: (One Box Must Be Checked)			<input type="checkbox"/> Asian or Pacific Islander			<input type="checkbox"/> American Indian or Alaskan Native			<input type="checkbox"/> Middle Eastern or East Indian (South Asian)			<input type="checkbox"/> Black			<input type="checkbox"/> Hispanic		<input type="checkbox"/> White					
DRIVER GENDER:			<input type="checkbox"/> Male			<input type="checkbox"/> Female			Optional - Additional Race Information													
TOTAL NUMBER OF OCCUPANTS IN CAR:			<input type="text"/>			PLATE TYPE:			<input type="text"/>			PLATE STATE CODE:			<input type="text"/>			PLATE NUMBER:				
ASSIGNMENT STATUS:			<input type="checkbox"/> Patrol			<input type="checkbox"/> Selective Enforcement (Agency)			<input type="checkbox"/> Investigations			<input type="checkbox"/> Paid Detail			<input type="checkbox"/> Selective Enforcement - Grant/Other			<input type="checkbox"/> Other				
REASON FOR STOP/ INTERACTION:			<input type="checkbox"/> Speeding			<input type="checkbox"/> Equipment Violation			<input type="checkbox"/> Other Traffic Violation			<input type="checkbox"/> Registration/Inspection Violation			<input type="checkbox"/> Violation of City/Town Ordinance							
			<input type="checkbox"/> CMVE			<input type="checkbox"/> Call for Service			<input type="checkbox"/> Investigatory			<input type="checkbox"/> Warrant			<input type="checkbox"/> SOLO			<input type="checkbox"/> Motorist Assist/Courtesy			<input type="checkbox"/> MV Crash	
DRIVER YEAR OF BIRTH:			<input type="text"/>			RESIDENCY:			<input type="checkbox"/> City/Town Resident			<input type="checkbox"/> Non-City/Town Resident			<input type="checkbox"/> Non-Resident Student			<input type="checkbox"/> Check if no year of birth and residency data				
SPEED DETERMINED BY (Check All That Apply):																						
<input type="checkbox"/> Radar/Lidar <input type="checkbox"/> Estimated <input type="checkbox"/> Clocked																						
RESULT OF STOP: <input type="checkbox"/> M/V Citation - Civil Infraction <input type="checkbox"/> Criminal Application <input type="checkbox"/> Arrest <input type="checkbox"/> Written Warning <input type="checkbox"/> Verbal Warning <input type="checkbox"/> No Enforcement Action																						
DURATION OF STOP: <input type="checkbox"/> 0-15 Minutes <input type="checkbox"/> 16-30 Minutes <input type="checkbox"/> Over 30 Minutes TOW: <input type="checkbox"/> Yes <input type="checkbox"/> No																						
ROAD CLASSIFICATION: <input type="checkbox"/> Interstate Hwy <input type="checkbox"/> State Hwy <input type="checkbox"/> City <input type="checkbox"/> Suburban <input type="checkbox"/> Rural <input type="checkbox"/> Other Public Way																						
SEARCH AS A RESULT OF STOP: <input type="checkbox"/> Yes <input type="checkbox"/> No																						
CITATION NUMBER																						
<input type="text"/>																						
REASON FOR SEARCH (Check All That Apply): <input type="checkbox"/> Consent <input type="checkbox"/> Probable Cause <input type="checkbox"/> Reasonable Suspicion <input type="checkbox"/> Inventory <input type="checkbox"/> Search Incident to Arrest																						
SCOPE OF SEARCH (Check All That Apply): <input type="checkbox"/> Driver <input type="checkbox"/> Passenger <input type="checkbox"/> Vehicle																						
RESULT OF SEARCH (Check All That Apply): <input type="checkbox"/> Nothing Found <input type="checkbox"/> Drugs/Drug Paraphernalia <input type="checkbox"/> Alcohol <input type="checkbox"/> Weapons <input type="checkbox"/> Money <input type="checkbox"/> Other																						





General Questions

- *When must the form be used?*
- Any time an officer stops a motor vehicle or otherwise detains the driver or occupant of a motor vehicle
- Any officer initiated contact with a motorist for any reason



General Questions

- Examples when form is used
 - Pulling a motor vehicle over in traffic
 - Stopping to assist a disabled motorist
 - Stopping at a crash scene
 - Making an inquiry of a driver or passenger in a stopped motor vehicle regardless of whether or not the inquiry is a detention under constitutional law



General Questions

- Example when form not used
 - The officer is approached by a motorist seeking assistance



General Questions

- *Is the form used for all types of vehicles?*
- The form is used for stops of “motor vehicles” as defined in c.90, s.1, and is not required for:
 - Motorized bicycles (c.90, s.1)
 - Motorized scooters (c.90, s.1)
 - Recreational and snow vehicles (c.90B, s.20)



General Questions

- *If a passenger is cited for a seat belt violation does the form reflect the information about the passenger cited or the driver?*
- Whenever the form is used the information concerning the driver will be recorded



General Questions

- *After the forms are completed, what is the police department required to do with the forms?*
- Minimum requirement under c.228 is that the data be collected and stored
- Recommended that data be stored in electronic database that allows for easy retrieval and analysis



General Questions

- *How will a department know when a disparity is or is not evidence of racial profiling?*
- Apply common sense skills used for analyzing other crime data taking into consideration
 - Census Data
 - Demographics of your community
 - Crime trends
 - Department enforcement practices



General Questions

- Research data collection issues using the Racial Profiling Data Collection Resource Center at Northeastern University that can accessed via the internet at
www.racialprofilinganalysis.neu.edu
- EOPS and N.U. are working on analysis tools to assist departments



Filling Out the Form

MASSACHUSETTS TRAFFIC STOP DATA COLLECTION FORM										0020701	
AGENCY CODE		LOCATION CODE		OFFICER ID		AGENCY FIELD/ CASE NUMBER		DATE		TIME	
<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>		<input type="text"/>	
RACE OF DRIVER: (One Box Must Be Checked)		<input type="checkbox"/> Asian or Pacific Islander		<input type="checkbox"/> American Indian or Alaskan Native		<input type="checkbox"/> Middle Eastern or East Indian (South Asian)		<input type="checkbox"/> Black		<input type="checkbox"/> Hispanic	
DRIVER GENDER:		<input type="checkbox"/> Male		<input type="checkbox"/> Female							
TOTAL NUMBER OF OCCUPANTS IN CAR:		<input type="text"/>		PLATE TYPE:		<input type="text"/>		PLATE STATE CODE:		PLATE NUMBER:	
ASSIGNMENT STATUS:		<input type="checkbox"/> Patrol		<input type="checkbox"/> Selective Enforcement (Agency)		<input type="checkbox"/> Investigations		<input type="checkbox"/> Paid Detail		<input type="checkbox"/> Selective Enforcement - Grant/Other	
REASON FOR STOP/ INTERACTION:		<input type="checkbox"/> Speeding		<input type="checkbox"/> Equipment Violation		<input type="checkbox"/> Other Traffic Violation		<input type="checkbox"/> Registration/Inspection Violation		<input type="checkbox"/> Violation of City/Town Ordinance	
		<input type="checkbox"/> CMVE		<input type="checkbox"/> Call for Service		<input type="checkbox"/> Investigatory		<input type="checkbox"/> Warrant		<input type="checkbox"/> BOLO	
DRIVER YEAR OF BIRTH:		<input type="text"/>		RESIDENCY:		<input type="checkbox"/> City/Town Resident		<input type="checkbox"/> Non-City/Town Resident		<input type="checkbox"/> Non-Resident Student	
										<input type="checkbox"/> Check if no year of birth and residency data	
SPEED DETERMINED BY (Check All That Apply):		<input type="checkbox"/> Radar/Lidar		<input type="checkbox"/> Estimated		<input type="checkbox"/> Clocked					
RESULT OF STOP:		<input type="checkbox"/> M/V Citation - Civil Infraction		<input type="checkbox"/> Criminal Application		<input type="checkbox"/> Arrest		<input type="checkbox"/> Written Warning		<input type="checkbox"/> Verbal Warning	
DURATION OF STOP:		<input type="checkbox"/> 0-15 Minutes		<input type="checkbox"/> 16-30 Minutes		<input type="checkbox"/> Over 30 Minutes		TOW:		<input type="checkbox"/> Yes	
ROAD CLASSIFICATION:		<input type="checkbox"/> Interstate Hwy		<input type="checkbox"/> State Hwy		<input type="checkbox"/> City		<input type="checkbox"/> Suburban		<input type="checkbox"/> Rural	
SEARCH AS A RESULT OF STOP:		<input type="checkbox"/> Yes		<input type="checkbox"/> No						CITATION NUMBER	
										<input type="text"/>	
REASON FOR SEARCH (Check All That Apply):		<input type="checkbox"/> Consent		<input type="checkbox"/> Probable Cause		<input type="checkbox"/> Reasonable Suspicion		<input type="checkbox"/> Inventory		<input type="checkbox"/> Search Incident to Arrest	
SCOPE OF SEARCH (Check All That Apply):		<input type="checkbox"/> Driver		<input type="checkbox"/> Passenger		<input type="checkbox"/> Vehicle					
RESULT OF SEARCH (Check All That Apply):		<input type="checkbox"/> Nothing Found		<input type="checkbox"/> Drugs/Drug Paraphernalia		<input type="checkbox"/> Alcohol		<input type="checkbox"/> Weapons		<input type="checkbox"/> Money	



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(1) Agency Code

- Use the same 3 digit agency code your department uses on the motor vehicle citation

AGENCY CODE

S	A	1
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(2) Location Code

LOCATION CODE

1	2	3
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- Optional 3 digit code unique to the department to define a particular area of the city or town
- Selection of defined areas should be based on developing data that will be useful for analysis



(3) Officer ID

- Identification number of the officer making the stop

OFFICER ID

8

9

7



(4) Agency Field/Case Number

AGENCY FIELD/
CASE NUMBER

I - 05-1234

- Optional field for use by department
- Can be used to cross-reference the stop with an associated case number or log number



(5) Date

DATE					
0	4	1	5	0	5

- Enter the date of the stop using the MMDDYY format



(6) Time

TIME		
10:00	X	AM
		PM

- Enter the time of the initiation of the stop using 12-hour clock notation (AM or PM)



(7) Race of driver

RACE OF DRIVER:
(One Box Must Be Checked)

<input type="checkbox"/> Asian or Pacific Islander	<input type="checkbox"/> American Indian or Alaskan Native	<input type="checkbox"/> Middle Eastern or East Indian (South Asian)	<input type="checkbox"/> Black	<input type="checkbox"/> Hispanic	<input checked="" type="checkbox"/> White
--	--	--	--------------------------------	-----------------------------------	---

- One and only one of the six race boxes must be checked off
- Officers expected to use their best judgment, based on their observations and life experience, to identify the race of the motorist at the time the citation is completed or immediately after the stop
- The officer will not make an inquiry of the motorist regarding his or her race



(8) Additional Race Information

Brazilian

Optional – Additional Race Information

- Optional field for department to further define race or ethnicity of the motorist
- One of the 6 race boxes still must be checked however



(9) Driver Gender

DRIVER GENDER: ☒ Male ☐ Female

- Check off the appropriate gender box



(10) Total Number of Occupants in Car

TOTAL NUMBER OF OCCUPANTS IN CAR:

- Enter the total number of occupants in the motor vehicle including to the operator
- Use “9” for 9 and above



(11) Plate Type/ State Code/ Plate Number

- Enter the 3 digit RMV plate type code from the registration or ALARS, the 2 digit state code for the registration followed by the plate number

PLATE TYPE:	P	A	N	PLATE STATE CODE:	M	A	PLATE NUMBER:	00AA00
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(12) Assignment Status

ASSIGNMENT STATUS: ☐ Patrol ☐ Selective Enforcement (Agency) ☐ Investigations ☐ Paid Detail ☐ Selective Enforcement - Grant/Other ☐ Other _____

- Check the box that best describes the nature of the officer's duty assignment at the time of the stop



(12) Assignment Status



- “Patrol”: used to describe a uniformed officer who is assigned to a general patrol function in a marked or semi-marked cruiser



(12) Assignment Status

- “Selective Enforcement -Agency”: Used when the officer is assigned by a supervisor to target a particular area for traffic enforcement or to target particular motor vehicle violations in the officer’s patrol area
- Does not apply to such targeted enforcement initiated by the officer



Selective Enforcement
(Agency)



(12) Assignment Status

- “Investigations”: Used when the officer is assigned to conducting criminal investigations
- Used for stops based legally on a civil infraction but primarily motivated by suspicion the driver or occupants are engaged in criminal activity, i.e., “pretext stops”



Investigations



(12) Assignment Status



- “Paid Detail”: Used when the officer is on a paid detail when the stop occurred



(12) Assignment Status

- “Selective Enforcement - Grant/Other”: Used when the officer is assigned to a specialized enforcement program funded by a state or federal grant such as the GHSB funded “Ticket-Or-Click-It” program



Selective Enforcement -
Grant/Other



(12) Assignment Status

- “Other”: Used if the 5 designated assignment status classifications do not apply
- Describe assignment

☒ Other Foot Patrol



(13) Reason for Stop/Interaction

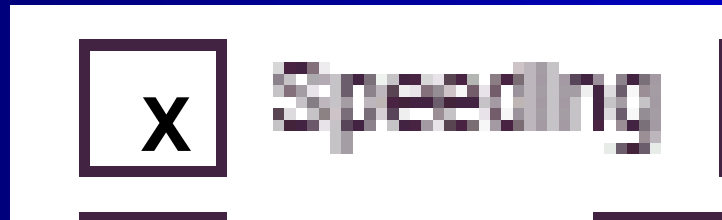
REASON FOR STOP/
INTERACTION:

☐ Speeding ☐ Equipment Violation ☐ Other Traffic Violation ☐ Registration/Inspection Violation ☐ Violation of City/Town Ordinance
☐ CMVE ☐ Call for Service ☐ Investigatory ☐ Warrant ☐ BOLO ☐ Motorist Assist/Courtesy ☐ MV Crash

- Check one box that best describes the reason for the stop or interaction with the motorist



(13) Reason for Stop/Interaction



- “Speeding”: Check if motor vehicle stopped for the purpose of issuing a speeding citation, written warning, or verbal warning



(13) Reason for Stop/Interaction

- “Equipment”: Check if the stop was for the purpose of issuing a citation, written warning, or verbal warning for defective equipment including improper display of number plate



Equipment Violation



(13) Reason for Stop/Interaction

- “Other Traffic Violation”:
Check is the stop was for the purpose of issuing a citation, written warning, or verbal warning for an automobile law violation not covered under the other check boxes





(13) Reason for Stop/Interaction

- “Registration/Inspection Violation”: Check if the stop was for the purpose of issuing a citation, written warning, or verbal warning for an unregistered/improperly registered vehicle or for an inspection sticker violation



Registration/Inspection Violation



(13) Reason for Stop/Interaction

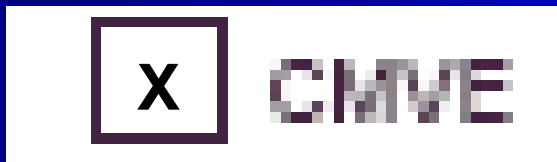
- “Violation of City Ordinance/Town Bylaw”: Check if the stop was for the purpose of issuing a citation, written warning, or verbal warning for violation of a city ordinance or town bylaw



Violation of City/Town Ordinance



(13) Reason for Stop/Interaction



- “CMVE”: Check if stop was for the purpose of conducting a commercial vehicle inspection under 540 CMR 14.00



(13) Reason for Stop/Interaction

<input checked="checked" type="checkbox"/>	Call for Service
--	------------------

- “Call for Service”: Check this box if the stop was based on a dispatch from the officer’s department
- This box not used when the origin of call was a “be-on-the-lookout” (BOLO) or when responding to a vehicle crash



(13) Reason for Stop/Interaction

<input checked="checked" type="checkbox"/>	Investigatory
--	---------------

- “Investigatory”: Check this box when the stop is based on reasonable suspicion or probable cause that the driver or occupants are involved in criminal activity
- Used for stops based legally on a civil infraction but primarily motivated by suspicion the driver or occupants are engaged in criminal activity, i.e., “pretext stops”



(13) Reason for Stop/Interaction

<input checked="checked" type="checkbox"/>	Warrant
--	---------

- “Warrant”: Check this box if the stop was for the purpose of executing an arrest or search warrant
- This box only applies if the officer has knowledge of the warrant before stopping the vehicle



(13) Reason for Stop/Interaction

<input checked="checked" type="checkbox"/>	BOLO
--	------

- “BOLO”: Check this box if the stop was based on a dispatch for a ‘be-on-the-lookout’ (BOLO) for a specific suspect or vehicle



(13) Reason for Stop/Interaction

- “Motorist Assist/Courtesy”: Check this box if the encounter with the vehicle was based on assisting the motorist such as checking on an apparent disabled vehicle

☒ Motorist Assist/Courtesy



(13) Reason for Stop/Interaction



MV Crash

- “Motor Vehicle Crash”:
This box is checked
when the interaction
with the motorist is
based on a response to
a vehicle crash
- Used when the officer is
dispatched to crash
scene or the officer
comes upon a crash
scene



(14) Driver Year of Birth

DRIVER YEAR OF BIRTH:

7	0
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- Enter the last two digits of the driver's year of birth
- Not required for situations where the officer did not request the operator's license



(15) Residency

RESIDENCY: ☒ City/Town Resident ☐ Non-City/Town Resident ☐ Non-Resident Student

- Using the operator's residence as indicated on the license, determine if the operator is a resident of the city or town in which they were stopped
- If a non-resident student, check also the non-resident student box
- Not required for situations where the officer did not request the operator's license



(16) No Year of Birth and Residency



Check if no year of birth
and residency data

- Check this box if the officer did not collect data on the the driver year of birth and residency



(17) Speed Determined By

SPEED DETERMINED BY: Check All That Apply ☒ Radar/Lidar ☐ Estimated ☒ Clocked

- Check the box or boxes that describe the basis for determining the vehicle was speeding



(18) Result of Stop

RESULT OF STOP: ☐ M/V Citation – Civil Infraction ☐ Criminal Application ☐ Arrest ☐ Written Warning ☐ Verbal Warning ☐ No Enforcement Action

- Check the box that describes the action taken as a result of the stop
- Check the box that represents the most serious result
- The result of a stop may not be consistent with the reason for the stop



(18) Result of Stop

- “M/V Citation - Civil Infraction”: Check this box if the result of the stop was the issuance of a civil infraction citation



M/V Citation – Civil Infraction



(18) Result of Stop

- “Criminal Application”: Check this box if the result of the stop was criminal complaint citation or, for non-motor vehicle offenses, the officer will seek a criminal complaint



Criminal Application



(18) Result of Stop

<input checked="checked" type="checkbox"/>	Arrest
--	--------

- “Arrest”: Check this box if the result of the stop was that the operator or occupant was arrested



(18) Result of Stop

<input checked="checked" type="checkbox"/>	Written Warning
--	-----------------

- “Written Warning”:
Check this box if if
the result of the stop
was that the
motorist was issued
a written warning
citation



(18) Result of Stop

<input checked="checked" type="checkbox"/>	Verbal Warning
--	----------------

- “Verbal Warning”:
Check this box if the result of the stop was that the motorist was given a verbal warning



(18) Result of Stop

- “No Enforcement Action”: Check this box if there was no enforcement action taken as a result of the stop

☒ No Enforcement Action



(19) Duration of Stop

DURATION OF STOP: ☒ 0-15 Minutes ☐ 16-30 Minutes ☐ Over 30 Minutes

- Check the box that reflects the total period of time the vehicle was stopped as a result of the officer's actions



(19a) Tow

- Check the “YES” box if the vehicle was towed from the scene (whether by order of the officer or request of the motorist)

TOW: ☒ Yes ☐ No



(20) Citation Number

- If a motor vehicle citation was issued in conjunction with the stop, include the citation number in this box

CITATION NUMBER	M	9	4	7	7	1	5	2
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(21) Road Classification

ROAD CLASSIFICATION: ☐ Interstate Hwy ☐ State Hwy ☐ City ☐ Suburban ☐ Rural ☐ Other Public Way

- Check the box that best describes the roadway type where the stop was initiated



(21) Road Classification



- “Interstate Hwy”:
Check when stop is initiated on an interstate highway or an express or limited access state highway (ramp access only)



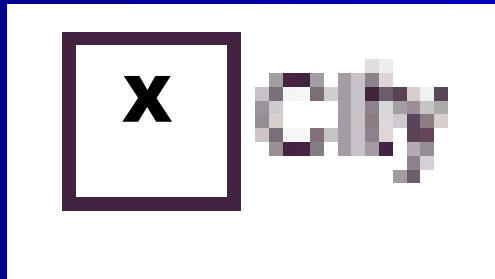
(21) Road Classification



- “State Hwy”: Check when the stop is initiated on a numbered state highway that is not an Interstate Highway or express or limited access state highway



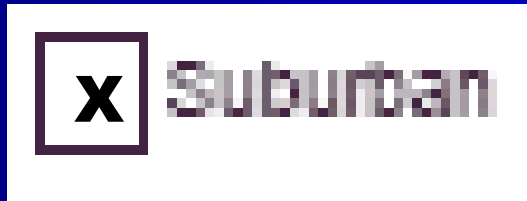
(21) Road Classification



- “City”: Check if the stop was initiated on a non-state highway located in a city (see appendix “D” in manual for list of cities)



(21) Road Classification



- “Suburban”: Check if the stop was initiated on a non-state highway located in a town listed in Appendix “A” in the manual



(21) Road Classification



- “Rural”: Check if the stop was initiated on a non-state highway located in a town listed in Appendix “B” of the manual



(21) Road Classification



Other Public Way

- “Other Public Way”:
check this box if
stop initiated in a
parking lot



(22) Search as a Result of Stop

SEARCH AS A RESULT OF STOP: ☒ Yes ☐ No

- If the officer intruded into an area where the motorist or occupant had an expectation of privacy under constitution law check the “Yes” box



(22) Search as a Result of Stop

- The search box includes searches of the vehicle, the driver or occupants, and their effects
- A visual inspection of open areas of a vehicle from the outside is not a search
- A K-9 walk-around of the exterior of the vehicle for contraband is not a search
 - Note: detaining a motorist for the arrival of a K-9 without reasonable suspicion of contraband in the vehicle is an unlawful detention



(23) Reason for Search

REASON FOR SEARCH (Check All That Apply): ☐ Consent ☐ Probable Cause ☐ Reasonable Suspicion ☐ Inventory ☐ Search Incident to Arrest

- If a search was conducted check all the boxes that represent the justification for the search



(23) Reason for Search Consent



- A person who owns or controls property may consent to a search that would otherwise be protected from search
- The consent must be voluntary which is determined from all the circumstances surrounding the stop



(23) Reason for Search Consent

- Factors to determine voluntariness
 - Whether tactics were coercive or involved trickery or deceit
 - Whether the person was informed of the right to refuse to consent
 - Whether the person is under the influence of drugs or alcohol
 - The mental state, maturity, age, and intelligence of the person



(23) Reason for Search Consent

- The person giving consent may limit the scope of the search
- A person may give consent to search areas where the person has joint control
- A person may revoke consent at any time
- Once the purpose of the stop is completed, the officer may not delay the person further in order to seek consent to search



(23) Reason for Search Motor Vehicle Exception

☒ Probable Cause

- A search of a motor vehicle and its contents is permitted without a warrant if
 - There is probable cause to believe evidence of a crime or contraband is contained in the vehicle
 - The vehicle is on a public way or in a public place
- The object sought governs the scope of the search



(23) Reason for Search Reasonable Suspicion

☒ Reasonable Suspicion

- A pat-frisk of a person or vehicle for weapons where there is a reasonable belief, based on articulable facts and circumstances, that the person is armed and dangerous (Terry v. Ohio)
- Passenger compartment, except locked containers, may be searched for weapons if occupant is dangerous and could have access to a weapon



(23) Reason for Search Inventory



Inventory

- An inventory of the contents of a vehicle lawfully towed or impounded by police pursuant to a written department policy
- The purpose of the inventory cannot be to gather evidence of criminal activity



(23) Reason for Search Search Incident to Arrest

☒ Search Incident to Arrest

- The search incident to arrest of a motor vehicle must be contemporaneous with the arrest and is limited to the passenger compartment
- Closed containers, but not locked containers, may be searched
- The search is limited to weapons or evidence of the crime for which the person is arrested (G.L. c.276, s.1)



(24) Scope of Search

SCOPE OF SEARCH (Check All That Apply): ☒ Driver ☐ Passenger ☒ Vehicle

- Check all boxes that apply as to the subject of the search



(25) Result of Search

RESULT OF SEARCH (Check All That Apply): ☐ Nothing Found ☒ Drugs/Drug Paraphernalia ☐ Alcohol ☐ Weapons ☐ Money ☐ Other

- If a search was conducted during the stop check all the boxes that apply as to what was seized during the search



Questions or Comments

Please contact

Sgt. Peter DiDomenica

Massachusetts State Police

470 Worcester Rd.

Framingham, MA 01702

508-820-2667

peter.didomenica@pol.state.ma.us

06/10/2005